

**Notice of Allowability**

Application No.

09/576,730

Examiner

Liang-che Alex Wang

Applicant(s)

CREEMER, DAVID

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/24/2004.
2. ☒ The allowed claim(s) is/are 5-7,9-11,13,14,16 and 22-28.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 4.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
HOSAIN ALAM

SUPERVISORY PATENT EXAMINER

***EXAMINER'S AMENDMENT***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. The drawings in this application are objected to by the Draftsperson as informal. Any drawing corrections requested, but not made in the prior application should be repeated in this application if such changes are still desired. If the drawings were changed and approved during the prosecution of the prior application, a petition may be filed under 37 CFR 1.182 requesting the transfer of such drawings, provided the parent application has been abandoned. However, a copy of the drawings as originally filed must be included in the 37 CFR 1.60 application papers to indicate the original content.
3. Authorization for this examiner's amendment was given in a telephone interview with Ronald M. Pomerenke on 08/17/2004.
4. The application has been amended as follow:
  - a. Combining dependent claim 8 into independent claim 5, combining dependent claims 12 and 15 into independent claim 11, and combining dependent claim 29 into independent claim 22.
  - b. Cancel claims 8, 12, 15, and 29.**
  - c. Please replace claims 5, 11, and 22 as below:

Claim 5 (Examiner's amendment)

A method of restoring basic functionality to a device comprising the steps of:

- a) making a connection between a bootstrap server and a portable computer system;
- b) synchronizing said bootstrap server with said portable computer system, wherein said server uses synchronization software which is compatible with a core set of communication functions stored in said portable computer system's non-volatile memory ;
- c) transferring first software from said bootstrap server to a volatile memory unit of said portable computer system, wherein said portable computer system regains basic functionality for connecting to an enterprise server;
- d) said portable computer system connecting to and transferring information with said enterprise server using said first software, said information transferred with said enterprise server and said first software from said bootstrap server retainable in said portable computer system upon powering off and retrievable from said portable computer system upon powering on; and
- e) said enterprise server transferring data to said portable computer system, wherein said data was backed up on said enterprise server from a previous synchronization between said enterprise server and said portable computer system.

Claim 11 (Examiner's amendment)

A server for restoring basic functionality to a portable computer system comprising:

a bootstrap server having bootstrap synchronization software stored thereon, said bootstrap synchronization software operable to allow a portable computer system to synchronize with said bootstrap server via other than a cradle device by using non-volatile memory based synchronization software stored in non-volatile memory on said portable computer system that is adapted to synchronize said portable computer system via a cradle device;

a modem coupled to said bootstrap server, said modem for allowing said portable computer system to communicate with said bootstrap server, wherein data is retainable in said portable computer system upon powering off said portable computer system and retrievable in said portable computer system upon powering;

an enterprise synchronization software stored thereon, said enterprise synchronization software for allowing said portable computer system to synchronize to an enterprise server when said enterprise synchronization software is used by said portable computer system; and

said data from a previous synchronization with said portable computer system stored on said bootstrap server, wherein said bootstrap server is for transferring said data to said portable computer system.

Claim 22 (Examiner's amendment)

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A method of restoring basic functionality to a device comprising the steps of:

- a) providing a portal to bootstrap a portable electronic device such that basic functionality is restored to the portable electronic device',
- b) receiving a request from the portable electronic device for synchronization over said portal; and
- c) synchronizing said bootstrap server with the portable electronic device, wherein said bootstrap server uses synchronization software which is compatible with a core set of communication functions stored in said portable electronic device's non-volatile memory, said synchronizing comprising transferring first software from said bootstrap server to a volatile memory unit of said portable electronic device, wherein said portable electronic device regains basic functionality, and wherein said portable computer system retains said first software and other data transferred thereto upon powering off of said portable computer system, and makes available said data upon powering on said portable computer system; and
- d) transferring data from an enterprise server to said portable electronic device, wherein said data was backed up on said enterprise server from a previous synchronization between said enterprise server and said portable electronic device.

***Reason for allowance***

5. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach using a portable computer system to synchronize with a bootstrap server to restore functionality to receive from an enterprise server, the data which was backed up on said enterprise server from a previous synchronization between the portable computer system and the enterprise server, in lights of other limitation described in independent claims 5, 11, an 22. .
6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703) 305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (703)308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang  
August 17 2004 *lw*

*Hosain Alam*  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER

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